



JUSTICE AND PUBLIC SAFETY CABINET

Matthew G. Bevin
Governor

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November 6, 2018

Annita Lucchesi
MuckRock News
DEPT MR 62928
411A Highland Ave.
Somerville, MA 02144-2516

RE: Open records request (Log 18-114 received 10/30/2018)

Dear Ms. Lucchesi,

Your open records request was received by the Department of Corrections on October 30, 2018. In it you requested the following:

"Pursuant to the Kentucky Open Records Act, I hereby request the following records:

Data on all cases of deaths in custody involving an Alaska Native/American Indian woman or girl victim within your jurisdiction(s). For the purposes of this request, "Alaska Native/American Indian" is defined as any individual who was identified as a member of an Alaska Native or American Indian community or as having Alaska Native/American Indian heritage. "Woman or girl" includes all victims identified as females, as well as transgender women. We are requesting cases dating from 1900 to the present.

This request is for basic information on cases as classified above. Such information may include but is not limited to victim name, location and date of disappearance/death, age of victim, status of case (solved or unsolved).

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 3 business days, as the statute requires."

Since you are requesting data, this would not fall under open records. Please be advised that the Open Records Act does not statutorily obligate an agency to honor a request for information as opposed to a request for a specifically described public record. *See*, 02-ORD-213, 02-ORD-175, 99-ORD-71, 97-ORD-182, 96-ORD-150, 96-ORD-146, 96-ORD-53, 95-ORD-150, 95-ORD-131.

If you have any further questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Katherine Williams".

Katherine Williams
Open Records Request Coordinator
Kentucky Department of Corrections